



February 17, 2006

**ENGROSSED  
HOUSE BILL No. 1287**

DIGEST OF HB 1287 (Updated February 15, 2006 4:44 pm - DI 75)

**Citations Affected:** IC 8-23; IC 9-13; IC 9-21; IC 9-22; IC 33-37.

**Synopsis:** Transportation. Requires the department of transportation to: (1) publish a notice of the time and place for the receiving of bids for a state highway contract in a newspaper; and (2) provide electronic access to the notice through the computer gateway administered by the office of technology. Provides for the removal of a vehicle or parts left on a highway in the state highway system within 24 hours after the vehicle or part is tagged. Provides that a person who operates a vehicle in a highway worksite zone (1) in a reckless manner; or (2) attempting to endanger the safety or property of individuals authorized by the Indiana department of transportation or the appropriate local entities to be in a highway worksite zone commits a Class A misdemeanor. Authorizes the collection of a highway worksite zone fee under certain circumstances.

**Effective:** July 1, 2006.

**Duncan, Goodin**  
(SENATE SPONSOR — LANDSKE)

January 10, 2006, read first time and referred to Committee on Roads and Transportation.  
January 23, 2006, amended, reported — Do Pass.  
January 30, 2006, read second time, amended, ordered engrossed.  
January 31, 2006, engrossed.  
February 2, 2006, read third time, passed. Yeas 68, nays 30.

SENATE ACTION

February 6, 2006, read first time and referred to Committee on Commerce and Transportation.  
February 16, 2006, amended, reported favorably — Do Pass.

**C  
O  
P  
Y**

EH 1287—LS 6832/DI 92+



February 17, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

C  
o  
p  
y

## ENGROSSED HOUSE BILL No. 1287

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 8-23-9-0.5 IS ADDED TO THE INDIANA CODE
- 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2006]: **Sec. 0.5. The department shall:**
- 4 (1) give notice of the time and place for the receiving of bids
- 5 under this chapter in accordance with IC 5-3-1; and
- 6 (2) provide electronic access to a notice of the date, time, and
- 7 place for the receiving of bids under this chapter through the
- 8 computer gateway administered by the office of technology.
- 9 SECTION 2. IC 9-13-2-173.3 IS ADDED TO THE INDIANA
- 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2006]: **Sec. 173.3. "State highway system"**
- 12 **has the meaning set forth in IC 8-23-1-40.**
- 13 SECTION 3. IC 9-21-8-49 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 49. Except as provided
- 15 in sections 50, 51, 52, and 54, and 55 of this chapter, a person who
- 16 violates this chapter commits a Class C infraction.
- 17 SECTION 4. IC 9-21-8-55 IS ADDED TO THE INDIANA CODE

**EH 1287—LS 6832/DI 92+**



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2006]: **Sec. 55. A person who operates a vehicle in a highway  
3 worksite zone:**

- 4 (1) in a reckless manner; or
- 5 (2) attempting to endanger the safety or property of
- 6 individuals authorized by the Indiana department of
- 7 transportation or the appropriate local entities to be in a
- 8 highway worksite zone;
- 9 **commits a Class A misdemeanor.**

10 SECTION 5. IC 9-22-1-11.5 IS ADDED TO THE INDIANA CODE  
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
12 1, 2006]: **Sec. 11.5. An officer who finds or is notified of a vehicle or  
13 parts believed to be abandoned on a highway that is part of the  
14 state highway system shall attach a notice tag in a prominent place  
15 on the vehicle or part. The notice tag must contain the following  
16 information:**

- 17 (1) The date and time the notice is attached.
- 18 (2) The officer's name.
- 19 (3) The name, address, and telephone number of the public
- 20 agency or the Indiana department of transportation that may
- 21 be contacted for information.
- 22 (4) That the vehicle or parts are considered abandoned.
- 23 (5) That the vehicle or parts will be removed after twenty-four
- 24 (24) hours.
- 25 (6) That the person who owns the vehicle or parts will be held
- 26 responsible for all costs incidental to the removal, storage,
- 27 and disposal of the vehicle or parts.
- 28 (7) That the person who owns the vehicle or parts may avoid
- 29 costs described in subdivision (6) by removing the vehicle or
- 30 parts within twenty-four (24) hours.

31 SECTION 6. IC 9-22-1-12 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 12. If a vehicle or a part  
33 tagged under section 11 or 11.5 of this chapter is not removed within  
34 the ~~seventy-two (72) hour~~ **specified time** period, the officer shall  
35 prepare a written abandoned vehicle report of the vehicle or parts,  
36 including information on the condition, missing parts, and other facts  
37 that might substantiate the estimated market value of the vehicle or  
38 parts. Photographs shall be taken to describe the condition of the  
39 vehicle or parts.**

40 SECTION 7. IC 9-22-1-14.5 IS ADDED TO THE INDIANA CODE  
41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
42 1, 2006]: **Sec. 14.5. (a) This section applies only to an abandoned**

C  
o  
p  
y



1 vehicle or parts abandoned on a highway in the state highway  
2 system.

3 (b) If, in the opinion of the officer, the market value of the  
4 abandoned vehicle or parts determined in accordance with section  
5 12 of this chapter is at least:

- 6 (1) five hundred dollars (\$500); or
- 7 (2) in a municipality that has adopted an ordinance under
- 8 section 13(b) of this chapter, the amount established by the
- 9 ordinance;

10 the officer, before placing a notice tag on the vehicle or parts, shall  
11 make a reasonable effort to ascertain the person who owns the  
12 vehicle or parts or who may be in control of the vehicle or parts.

13 (c) After twenty-four (24) hours, the officer shall require the  
14 vehicle or parts to be towed to a storage yard or towing service.

15 SECTION 8. IC 9-22-1-19, AS AMENDED BY P.L.104-2005,  
16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2006]: Sec. 19. (a) Within seventy-two (72) hours after  
18 removal of an abandoned vehicle to a storage yard or towing service  
19 under section 13, 14, 14.5, or 16 of this chapter, the public agency or  
20 towing operator shall prepare and forward to the bureau an abandoned  
21 vehicle report containing a description of the vehicle, including the  
22 following information concerning the vehicle:

- 23 (1) The make.
- 24 (2) The model.
- 25 (3) The identification number.
- 26 (4) The number of the license plate.

27 (b) The public agency or towing operator shall request that the  
28 bureau advise the public agency or towing operator of the name and  
29 most recent address of the person who owns or holds a lien on the  
30 vehicle.

31 (c) Notwithstanding section 4 of this chapter, if the public agency  
32 or towing operator fails to notify the bureau of the removal of an  
33 abandoned vehicle within seventy-two (72) hours after the vehicle is  
34 removed as required by subsection (a), the public agency or towing  
35 operator:

- 36 (1) may not initially collect more in reimbursement for the costs  
37 of storing the vehicle than the cost incurred for storage for  
38 seventy-two (72) hours; and
- 39 (2) may collect further reimbursement under this chapter only for  
40 additional storage costs incurred after notifying the bureau of the  
41 removal of the abandoned vehicle.

42 SECTION 9. IC 33-37-5-14 IS AMENDED TO READ AS

C  
o  
p  
y



1       FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 14. (a) This section  
 2       applies to criminal, infraction, and ordinance violation actions that are  
 3       traffic offenses (as defined in IC 9-30-3-5).  
 4       (b) The clerk shall collect a highway worksite zone fee of fifty cents  
 5       (\$0.50). However, the clerk shall collect a highway worksite zone fee  
 6       of twenty-five dollars and fifty cents (\$25.50) if:  
 7       (1) the criminal action, infraction, or ordinance violation is:  
 8           (A) exceeding a worksite speed limit (as provided in  
 9           IC 9-21-5-2 and authorized by IC 9-21-5-3); ~~or~~  
 10          (B) failure to merge (as provided in IC 9-21-8-7.5); ~~and or~~  
 11          (C) **reckless driving that endangers the safety of an**  
 12          **individual authorized by the Indiana department of**  
 13          **transportation or the appropriate local entities to be in a**  
 14          **highway worksite zone (as provided in IC 9-21-8-55); and**  
 15       (2) the judge orders the clerk to collect the fee for exceeding a  
 16       worksite speed limit, ~~or~~ failure to merge, ~~or~~ **reckless driving that**  
 17       **endangers the safety of an individual authorized by the**  
 18       **Indiana department of transportation or the appropriate local**  
 19       **entities to be in a highway worksite zone.**

C  
O  
P  
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1287, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 8-16-1-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 26. (a) This section applies only to a bridge that:

- (1) was constructed under this chapter; and
- (2) crosses the Wabash River.

(b) Notwithstanding any other provisions of this chapter, a bridge subject to this section ~~does not become a part of the system of state highways free of tolls or a tollway under IC 8-15-3 when bonds are retired and all funds fully reimbursed: on July 1, 2006, shall, without a deed of conveyance or any action by the authority, become the property of the state to be operated and maintained by the department as a part of the state highway system.~~

(c) **The department may operate the bridge as a toll bridge and:**

- (1) fix;**
- (2) maintain; and**
- (3) collect tolls for the use of;**

**the bridge.**

~~(c)~~ (d) Money collected for the use of a bridge subject to this section shall be allocated to the ~~authority~~ **department** and used ~~by the authority~~ **by the department** for the following purposes:

- (1) Operation of the toll bridge facility.
- (2) Maintenance of the toll bridge facility.
- ~~(3) A reserve fund for future toll bridges over the Ohio River to be located within the same county in which the bridge subject to this section is located:".~~

Page 1, line 3, delete "may:" and insert "**shall:**".

Page 1, line 5, delete "or" and insert "**and**".

Page 1, delete lines 9 through 17, begin a new paragraph and insert:

"SECTION 3. IC 9-13-2-27.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 27.3. "Clear zone" means the unobstructed, relatively flat area, including any shoulder or auxiliary lane, provided beyond the edge of a highway for the recovery of errant vehicles.**

SECTION 4. IC 9-13-2-69.1 IS ADDED TO THE INDIANA CODE

COPY



AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 69.1. "Freeway service patrol responder", for purposes of IC 9-21-16, has the meaning set forth in IC 9-21-16-0.5.**

SECTION 5. IC 9-13-2-127, AS AMENDED BY P.L.210-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following:

- (1) A regular member of the state police department.
- (2) A regular member of a city or town police department.
- (3) A town marshal or town marshal deputy.
- (4) A regular member of a county sheriff's department.
- (5) A conservation officer of the department of natural resources.
- (6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).

(b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations. **However, for purposes of IC 9-21-16-4.5, the term refers to only the following:**

- (1) A regular member of the state police department.**
- (2) A regular member of a city or town police department.**
- (3) A regular member of a county sheriff's department.**

SECTION 6. IC 9-21-4-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 19. (a) A person who violates section 4, 5, 6, 16, 17, or 18 of this chapter commits a Class C infraction.

**(b) Notwithstanding:**

- (1) IC 34-28-5-4(c), a civil judgment of at least one hundred dollars (\$100) shall be imposed for an infraction committed in violation of section 16 of this chapter; and**
- (2) IC 34-28-5-5(c), civil penalties collected for a violation of section 16 of this chapter shall be deposited in the railroad grade crossing fund created by IC 8-6-7.7-6.1.**

SECTION 7. IC 9-21-8-49 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 49. (a) Except as provided in sections 50, 51, 52, and 54 of this chapter, a person who violates this chapter commits a Class C infraction.

**(b) Notwithstanding:**

- (1) IC 34-28-5-4(c), a civil judgment of at least one hundred dollars (\$100) shall be imposed for an infraction committed in violation of:**
  - (A) section 8(b)(2) of this chapter if a vehicle is driven to the left side of the roadway when:**

C  
O  
P  
Y



- (i) approaching within one hundred (100) feet of; or
  - (ii) traversing;
  - a railroad grade crossing; or
  - (B) section 39 of this chapter; and
  - (2) IC 34-28-5-5(c), civil penalties collected under:
    - (A) section 8(b)(2) of this chapter for a violation described in subdivision (1)(A); and
    - (B) section 39 of this chapter;
- shall be deposited in the railroad grade crossing fund created by IC 8-6-7.7-6.1.

SECTION 8. IC 9-21-8-52, AS AMENDED BY P.L.1-2005, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 52. (a) A person who operates a vehicle and who recklessly:

- (1) drives at such an unreasonably high rate of speed or at such an unreasonably low rate of speed under the circumstances as to:
  - (A) endanger the safety or the property of others; or
  - (B) block the proper flow of traffic;
- (2) passes another vehicle from the rear while on a slope or on a curve where vision is obstructed for a distance of less than five hundred (500) feet ahead;
- (3) drives in and out of a line of traffic, except as otherwise permitted;
- (4) speeds up or refuses to give one-half (1/2) of the roadway to a driver overtaking and desiring to pass; or
- (5) passes a school bus stopped on a roadway when the arm signal device specified in IC 9-21-12-13 is in the device's extended position;

commits a Class B misdemeanor.

**(b) A person who:**

- (1) operates a vehicle; and
- (2) recklessly drives at such an unreasonably high rate of speed or at such an unreasonably low rate of speed under the circumstances as to endanger the safety of an individual authorized by the Indiana department of transportation to be in a highway worksite zone;

commits a Class A misdemeanor.

~~(b)~~ (c) If an offense under subsection (a) results in damage to the property of another person, the court shall recommend the suspension of the current driving license of the person for a fixed period of:

- (1) not less than thirty (30) days; and
- (2) not more than one (1) year.

C  
O  
P  
Y



SECTION 9. IC 9-21-12-11, AS AMENDED BY P.L.231-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11. (a) A person who violates section 5, 6, or 7 of this chapter commits a Class C infraction. **Notwithstanding:**

**(1) IC 34-28-5-4(c), a civil judgment of at least one hundred dollars (\$100) shall be imposed for an infraction committed in violation of section 5 of this chapter; and**

**(2) IC 34-28-5-5(c), civil penalties collected for a violation of section 5 of this chapter shall be deposited in the railroad grade crossing fund created by IC 8-6-7.7-6.1.**

(b) A person who knowingly or intentionally violates section 12, 13, 14, 15, 16, or 17 of this chapter commits a Class C misdemeanor.

SECTION 10. IC 9-21-16-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 0.5. As used in this chapter, "freeway service patrol responder" means a regular member of the Indiana department of transportation's freeway service patrol.**

SECTION 11. IC 9-21-16-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 4.5. (a) A person may not stop, stand, or park a vehicle for more than twenty-four (24) hours in a clear zone that is adjacent to a highway that is a part of the interstate highway system.**

**(b) If a police officer or a freeway service patrol responder discovers a vehicle that is stopped, standing, or parked in violation of subsection (a), the police officer or freeway service patrol responder shall cause the vehicle to be removed from the clear zone and stored in a suitable place.**

**(c) The removal of a vehicle under subsection (b) is in addition to any penalty imposed under section 9 of this chapter.**

**(d) This section may not be construed to confer upon a freeway service patrol responder any police powers other than the power granted under subsection (b).**

SECTION 12. IC 9-22-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. This chapter does not apply to the following:

- (1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways.
- (2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.
- (3) A vehicle located on a vehicle sale lot.
- (4) A vehicle located upon property licensed or zoned as an

C  
o  
p  
y



automobile scrapyard.

(5) A vehicle registered and licensed under IC 9-18-12 as an antique vehicle.

**(6) A vehicle located in a clear zone and subject to IC 9-21-16-4.5.**

SECTION 13. IC 9-24-6-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. (a) Except as provided in sections 16 and 17 of this chapter, a person who violates this chapter commits a Class C infraction.

**(b) Notwithstanding:**

**(1) IC 34-28-5-4(c), a civil judgment of at least one hundred dollars (\$100) shall be imposed for an infraction committed in violation of section 6(a)(7) or 6(a)(8) of this chapter; and**

**(2) IC 34-28-5-5(c), civil penalties collected for a violation of section 6(a)(7) or 6(a)(8) of this chapter shall be deposited in the railroad grade crossing fund created by IC 8-6-7.7-6.1.**

SECTION 14. IC 33-37-5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 14. (a) This section applies to criminal, infraction, and ordinance violation actions that are traffic offenses (as defined in IC 9-30-3-5).

(b) The clerk shall collect a highway worksite zone fee of fifty cents (\$0.50). However, the clerk shall collect a highway worksite zone fee of twenty-five dollars and fifty cents (\$25.50) if:

- (1) the criminal action, infraction, or ordinance violation is:
  - (A) exceeding a worksite speed limit (as provided in IC 9-21-5-2 and authorized by IC 9-21-5-3); ~~or~~
  - (B) failure to merge (as provided in IC 9-21-8-7.5); ~~and or~~
  - (C) reckless driving that endangers the safety of an individual authorized by the Indiana department of transportation to be in a highway worksite zone (as provided in IC 9-21-8-52(b)); and**

(2) the judge orders the clerk to collect the fee for exceeding a worksite speed limit, ~~or~~ failure to merge, **or reckless driving that endangers the safety of an individual authorized by the Indiana department of transportation to be in a highway worksite zone."**

C  
o  
p  
y



Delete pages 2 through 6.  
Renumber all SECTIONS consecutively.  
and when so amended that said bill do pass.  
(Reference is to HB 1287 as introduced.)

DUNCAN, Chair

Committee Vote: yeas 9, nays 0.

---

HOUSE MOTION

Mr. Speaker: I move that House Bill 1287 be amended to read as follows:

Page 2, between lines 8 and 9, begin a new paragraph and insert:

**"(e) Notwithstanding any other provision of this chapter, on July 1, 2006, all funds held by the authority pursuant to this section and section 18 of this chapter shall be transferred to the department to be used according to this section."**

Page 6, after line 16, begin a new paragraph and insert:

**"SECTION 14. [EFFECTIVE JULY 1, 2006] (a) The funds that remain in the reserve fund on June 30, 2006, for future toll bridges over the Ohio River to be located within the same county in which the bridge subject to IC 8-16-1-26, as amended by this act, is located shall be transferred to the Indiana department of transportation on July 1, 2006.**

**(b) This SECTION expires January 1, 2007."**

(Reference is to HB 1287 as printed January 24, 2006.)

DUNCAN

---

HOUSE MOTION

Mr. Speaker: I move that House Bill 1287 be amended to read as follows:

Page 3, delete lines 2 through 42.

Page 4, delete lines 1 through 34.

Page 5, delete lines 28 through 38.



C  
O  
P  
Y

Renumber all SECTIONS consecutively.

(Reference is to HB 1287 as printed January 24, 2006.)

DUNCAN

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Transportation, to which was referred House Bill No. 1287, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 12.

Page 2, delete lines 21 through 42, begin a new paragraph and insert:

"SECTION 2. IC 9-13-2-173.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 173.3. "State highway system" has the meaning set forth in IC 8-23-1-40.**

SECTION 3. IC 9-21-8-49 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 49. Except as provided in sections 50, 51, 52, and 54, and **55** of this chapter, a person who violates this chapter commits a Class C infraction.

SECTION 4. IC 9-21-8-55 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 55. A person who operates a vehicle in a highway worksite zone:**

- (1) in a reckless manner; or**
- (2) attempting to endanger the safety or property of individuals authorized by the Indiana department of transportation or the appropriate local entities to be in a highway worksite zone;**

**commits a Class A misdemeanor.**

SECTION 5. IC 9-22-1-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 11.5. An officer who finds or is notified of a vehicle or parts believed to be abandoned on a highway that is part of the state highway system shall attach a notice tag in a prominent place on the vehicle or part. The notice tag must contain the following**

C  
o  
p  
y



**information:**

- (1) The date and time the notice is attached.**
- (2) The officer's name.**
- (3) The name, address, and telephone number of the public agency or the Indiana department of transportation that may be contacted for information.**
- (4) That the vehicle or parts are considered abandoned.**
- (5) That the vehicle or parts will be removed after twenty-four (24) hours.**
- (6) That the person who owns the vehicle or parts will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle or parts.**
- (7) That the person who owns the vehicle or parts may avoid costs described in subdivision (6) by removing the vehicle or parts within twenty-four (24) hours.**

SECTION 6. IC 9-22-1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. If a vehicle or a part tagged under section 11 **or 11.5** of this chapter is not removed within the ~~seventy-two (72)~~ **hour specified time** period, the officer shall prepare a written abandoned vehicle report of the vehicle or parts, including information on the condition, missing parts, and other facts that might substantiate the estimated market value of the vehicle or parts. Photographs shall be taken to describe the condition of the vehicle or parts.

SECTION 7. IC 9-22-1-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 14.5. (a) This section applies only to an abandoned vehicle or parts abandoned on a highway in the state highway system.**

**(b) If, in the opinion of the officer, the market value of the abandoned vehicle or parts determined in accordance with section 12 of this chapter is at least:**

- (1) five hundred dollars (\$500); or**
- (2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance;**

**the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts.**

**(c) After twenty-four (24) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service.**

SECTION 8. IC 9-22-1-19, AS AMENDED BY P.L.104-2005,

**C  
O  
P  
Y**



SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 19. (a) Within seventy-two (72) hours after removal of an abandoned vehicle to a storage yard or towing service under section 13, 14, **14.5**, or 16 of this chapter, the public agency or towing operator shall prepare and forward to the bureau an abandoned vehicle report containing a description of the vehicle, including the following information concerning the vehicle:

- (1) The make.
- (2) The model.
- (3) The identification number.
- (4) The number of the license plate.

(b) The public agency or towing operator shall request that the bureau advise the public agency or towing operator of the name and most recent address of the person who owns or holds a lien on the vehicle.

(c) Notwithstanding section 4 of this chapter, if the public agency or towing operator fails to notify the bureau of the removal of an abandoned vehicle within seventy-two (72) hours after the vehicle is removed as required by subsection (a), the public agency or towing operator:

- (1) may not initially collect more in reimbursement for the costs of storing the vehicle than the cost incurred for storage for seventy-two (72) hours; and
- (2) may collect further reimbursement under this chapter only for additional storage costs incurred after notifying the bureau of the removal of the abandoned vehicle."

Page 3, delete lines 1 through 40.

Page 4, line 12, after "transportation" insert "**or the appropriate local entities**".

Page 4, line 13, delete "IC 9-21-8-52(b));" and insert "**IC 9-21-8-55**);".

Page 4, line 17, after "transportation" insert "**or the appropriate local entities**".

Page 4, delete lines 19 through 25.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1287 as reprinted January 31, 2006.)

LANDSKE, Chairperson

Committee Vote: Yeas 10, Nays 0.

**EH 1287—LS 6832/DI 92+**

C  
O  
P  
Y

